

cially to the judge from the city of Baltimore. Living was more expensive in that city, and a judge should have pay enough to live like a gentleman wherever he may be obliged to reside. And he had another reason; a sufficient salary given directly from the Treasury would remove all temptation to obtain an increase of pay by indirect, and, he must say, reprehensible means. Under the existing system, the salaries of the judges of the city of Baltimore had been fixed at the same rate as the salaries of the judges from the country districts, which all conceded was much too low, and we found that there had been a continued struggle to increase those salaries by indirect means. He held in his hands a paper which showed the amounts paid the judges of Baltimore County Court, under the improper system of legislation to which he had referred. It was the report of the clerk of Baltimore County Court, made under the order of this body. From this statement it appears that the judges of that court are receiving about \$7,000 per annum above the salary proper fixed by law. And this sum is made up by taxes on the business in that court and commission on the funds passing through it. He asked the attention of the Convention to the report:

A STATEMENT Of the amounts paid by the Judges of Baltimore County Court, on account of taxes and per centage under act of 1828, ch. 161, and the several supplements thereto, for the years 1847, 1848 and 1849:			
	1847.	1848.	1849.
Amount paid on account of taxes			
On suits at law	\$1,426 42	\$1,861 04	\$1,872 44
On bills in equity	315 40	361 00	435 10
On bills in appeal and certioraries	405 65	349 60	383 80
On judgments	152 23	106 41	141 32
On executions	106 89	103 08	124 45
Per centage on equity proceedings	2,262 37	3,232 18*	2,476 92
On insolvent estates	1,573 11	745 47	718 74
On taxes on insolvent discharges	613 92	389 26	677 44†
	6,856 99	7,148 04	6,830 21

* The amount of this item is increased this year beyond its fair average rate by reason of the payment in a single case (case of Mexican claims) of the extraordinary amount of \$1,180 94.
† Of this amount the sum of \$136 02 should be more properly reckoned among the proceeds

Now, a system like this was the worst that could be conceived, because the judge's salary was dependent on the the discharge of his judicial functions. The most mischievous system on the face of the earth for the payment of judicial labor was that by which the pay of the judge depended on granting the requests of suitors. This system had been growing up by piecemeal ever since 1829. And why had it been growing up? Because the judges had not been allowed, directly from the treasury, a reasonable compensation for their services. Hence this reprehensible system of legislation. He did not intend to cast odium upon those judges. He had never heard their conduct complained of. But the system was wrong, and ought to be discountenanced; and he now went for liberal salaries to prevent all temptation to seeking an increase of compensation by indirect means. He was opposed to all perquisites. He wanted the judges to receive a compensation which was fixed by law—a compensation sufficient for their services, and which should not be diminished while the judge was in office. And he would go further and say it should not be increased while he held his commission. The judge should stand perfectly independent, and he should know that when he went into office his salary was fixed, and not to be increased or diminished whilst he was there.

Mr. Brown remarked, that it appeared to him that the argument of the gentleman from Somerset, (Mr. Crisfield,) could not apply in this case to the judges of the court of appeals. It might, possibly, apply to the judges of the county courts.

Mr. CRISFIELD explained, that he was only going to show that an attempt might be made to obtain by indirect means that which ought to be allowed the judges by law—that was, a sufficient and adequate compensation for their services. The judges of the court of appeals could not get extra compensation, indirectly, as did some of the judges of other courts.

Mr. Brown remarked that that was rather a bad report to make—that some of the judges would adopt some means, without constitutional authority, to put money in their pockets. Now it was true that the judges of Baltimore city received large fees, but then they were on the bench all the time, and they came here, also, to sit in judgment on appeals sent in from the lower courts. And he, (Mr. B.,) could not see how they could make a list of *extras*. He held that the gentleman's argument was good as to the county judges; and he, (Mr. Brown,) should like to have an amendment put in, when the subject came up again, to turn those judges off the bench. He thought \$2,500 was a good salary to allow the judges of the court of appeals, and he would not reduce it.

Mr. BUCHANAN hoped the gentleman from Somerset (Mr. Crisfield) would not suppose that of this item for the year 1848.* So much of it having accrued in that year, but not paid over by the clerk of the commissioners of insolvent debtors until in the year 1849.

(Signed) A. W. BRADFORD,
Clerk Baltimore County Court.